

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VICTOR HUGO SILVESTRE GARCIA,

Plaintiff,

VS.

S&F LOGISTICS, et al.

Defendants.

C.A. No.: 5:21-cv-04062-JMG

NOTICE OF ORAL AND VIDEOTAPED DEPOSITION OF S&F LOGISTICS, LLC

TO: Defendant, **S&F Logistics, LLC**., by and through the following counsel of record:

Robert J. Cosgrove
Wade Clark Mulcahy LLP
1515 Market St, Suite 2050
Philadelphia, Pennsylvania 19102
Telephone: (267) 239-5526

Please take notice that the following oral and videotaped deposition will be taken by the undersigned attorney(s):

A.) The witness is **S&F Logistics, LLC**.

Pursuant to Federal Rule of Civil Procedure 30(b)(6), **S&F Logistics, LLC** is hereby notified of its obligation to designate one or more persons having actual knowledge of the following subjects and authorized to testify as its designated corporate representative on these subjects and give testimony in this case.

The subject matter of the deposition will concern the following matters:

1. John McCollum's application and qualification as a driver, including employee and personnel files, including S&F Logistics, LLC's hiring and retention standards for Mr. McCollum's position, if any;
2. John McCollum's driving record and employment history, and S&F Logistics, LLC's review thereof;
3. Any training, instruction, and experience related to driving, driving safety, and the regulations applicable to commercial drivers that John McCollum received while employed by S&F Logistics, LLC;
4. The identity of any individual(s) responsible for training or supervising John McCollum;

5. Any road tests, ride alongs, or supervised drives taken by John McCollum while applying with or working for S&F Logistics, LLC;
6. The identity of the individual(s) who created and/or selected the training materials and training program for S&F Logistics, LLC drivers and the content of such materials;
7. The safety-related literature, including any online resources, DMV materials, DOT materials, NATMI materials, JJ Keller materials, or other safety resources available to S&F Logistics, LLC's safety director and safety personnel;
8. The training, experience, education, and certification of S&F Logistics, LLC's safety managers and director of recruiting as it pertains to driving;
9. The methods used by S&F Logistics, LLC to monitor drivers for safe driving habits;
10. The results of any controlled substance, drug or alcohol tests regarding John McCollum;
11. Any investigation conducted by S&F Logistics, LLC of the collision that is the subject of this lawsuit and S&F Logistics, LLC's opinions, if any, as to how the collision occurred;
12. S&F Logistics, LLC's policies for what a driver is supposed to do after a wreck, including whether any reports are to be made, to whom they are to be made, and alcohol/drug testing;
13. Any accident reports regarding the collision that is the subject of this lawsuit;
14. John McCollum's logs, receipts, Qualcomm records, bills of lading, and any other documents that will show the route John McCollum took in the 10 days leading up to and including the day of the collision that is the subject of this lawsuit, as well as his hours of service during that time;
15. What GPS, Qualcomm, dash cameras, or other recording devices were present on the vehicle involved in the collision made the basis of this lawsuit and whether any data was downloaded from any recording device on the vehicle, and if so, what the data revealed;
16. John McCollum's employment status with S&F Logistics, LLC and, if John McCollum's employment was terminated, when and why it terminated;
17. Whether John McCollum was acting in the course and scope of his employment with S&F Logistics, LLC at the time of the collision that is the subject of this lawsuit;
18. The damage sustained by the vehicles in the collision made the basis of this lawsuit;
19. Whether John McCollum claimed to have sustained any injuries in the collision made the basis of this wreck and, if so, what those injuries were;
20. Whether John McCollum was ever the subject of disciplinary action, demerits, or reprimands while employed by S&F Logistics, LLC;
21. Whether John McCollum's job performance with S&F Logistics, LLC was satisfactory and, if not, why it was considered to be unsatisfactory;

22. Describe any insurance policies that provide, or may provide, coverage for the collision in question including liability policies, excess policies, and umbrella policies. This request includes the coverage amounts, deductibles, policy numbers, and identity of the insurance providers.; and

23. All documents in the possession of S&F Logistics, LLC regarding the categories above.

- B.) The deposition will begin at **1:30 p.m. CST, on Monday, March 21, 2022**, and continue from day to day until the same has been completed.
- C.) By agreement, the deposition will take place remotely via Zoom Video Conference. A weblink to join the deposition will be sent to all counsel prior to the scheduled event.
- D.) The deposition will be taken upon oral examination before a court reported authorized by law to take the deposition.
- E.) Please take notice that the undersigned may cause the deposition to be videotaped.

Respectfully Submitted,

/s/ Malorie J. Peacock

Malorie J. Peacock

Pro Hac Vice

Texas Bar No. 24077293

Cowen | Rodriguez | Peacock

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been delivered, in the required manner, to all counsel of record in accordance the applicable Rules of Civil Procedure on December 21, 2021:

Via Email Delivery:

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/s/ Malorie J. Peacock
Malorie J. Peacock